



Date: 4/25/2023

Re: Letter in Support of the Modernize The Personal Privacy Protection Law (PPPL) Act (A.3051 Assemblymember Epstein/S.4044 Senator Gonzalez)

We, the undersigned organizations, support the “Modernize the PPPL Act” (A.3051 Epstein/S.4044 Gonzalez) and urge the legislature to pass, and the Governor to sign, this bill.

New York’s Personal Privacy Protection Law (PPPL) regulates how government agencies share personal information. The current statute exempts law enforcement activities, giving state and local police departments the ability to collect sensitive information from other government agencies without a warrant. New Yorkers shouldn’t have to fear that police can freely access their library records or SNAP cards.

A.3051 and S.4044 would eliminate these loopholes to modernize the PPPL. Specifically, this bill will give New Yorkers stronger recourse if an agency violates the PPPL, narrow policing exceptions, and extend the PPPL to local governments. The amendments would not affect information sharing between non-law enforcement agencies or stifle the administration of social services. The bill would also make clerical changes, such as updating the PPPL to use gender-neutral language.

A.3051 and S.4044 would expand upon the PPPL’s existing private right of action. The bill grants statutory and punitive damages to anyone whose information an agency shares in violation of the PPPL. Injured parties may also recover actual damages if they exceed the standard award of statutory damages. Likewise, A. 3051 and S.4044 offer evidentiary suppression as a remedy when an agency shares information with a law enforcement agency without legal authorization to do so. Together, these remedies will act as a meaningful deterrent to unsanctioned information sharing.

By passing this bill, New York will take a major step to protect personal privacy. We urge the legislature to pass and the Governor to sign the Modernize the PPPL Act (A.3051 Epstein/S.4044 Gonzalez).

Sincerely,

Surveillance Technology Oversight Project (S.T.O.P.)
The Legal Aid Society
New York Immigration Coalition
Electronic Frontier Foundation
Legal Defense Fund (LDF)
Arab American Association of New York
Chinese-American Planning Council, Inc
Fight for the Future

Ban Big Brother Coalition – Letter in Support of A.3051/S.4044
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LatinoJustice PRLDEF
National Lawyers Guild – New York City Chapter Mass Defense Committee
National Action Network
Brooklyn Defenders
Demand Progress
Grassroots Advocates for Neighborhood Groups and Solutions G.A.N.G.S. Coalition
Policing and Social Justice Project
Yemeni American Merchants Association
YAMA Action
Emgage, New York Metro Chapter
Muslim Community Network
Freedom To Thrive
Secure Justice
Decoding Stigma
Jim Owles Liberal Democratic Club
NYU Center on Race, Inequality, and the Law
Restore The Fourth NYC
Defending Rights & Dissent
Oakland Privacy
Police Reform Organizing Project (PROP)
Coalition for A District Alternative
Defenders Clinic at CUNY School of Law
No Ethics In Big Tech
Surveillance Resistance Lab
Aspiration
RootsAction.org
Amend4Rights
TakeRoot Justice
United We Dream
PDX Privacy
EFF-Austin